

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



In re Appln. No: 09/857,386  
Applicants: Paul Richard Phillips et al.  
Filed: September 4, 2001  
Title: PARTICULATE CONTROL  
TC/A.U.: 3748  
Examiner: Binh Q. Tran  
Docket No.: JMYT-244US

OR



Patent No:  
Issued:

**REQUEST FOR REFUND**  
(Improper Charge of Deposit Account)

Mail Stop 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**I. REFUND REQUEST**

This is a request for refund with respect to the charge to Deposit Account No. 18-0350 shown on the statement dated June 2004 for the above-identified  application/ patent.

- Accompanying this request is a copy of the monthly statement on which the referred error is listed.

## II. FEES CHARGED FOR WHICH REFUND IS REQUESTED

		Amount of Refund Requested
<input type="checkbox"/>	Filing Fee	\$ 0
<input type="checkbox"/>	Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e))	\$ 0
<b>AND/OR</b>		
<input type="checkbox"/>	Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	\$ 0
<input type="checkbox"/>	Extension of time - months	\$ 0
<input checked="" type="checkbox"/>	Excess claims	\$ 432
<input type="checkbox"/>	Issue Fee	\$ 0
<input type="checkbox"/>	Petition Fee	\$ 0
<input type="checkbox"/>	Patent Maintenance Fee - year	\$ 0
<input type="checkbox"/>	Patent Maintenance Fee Surcharge	\$ 0
<input type="checkbox"/>	Other (please explain)	\$ 0
<b>TOTAL REFUND REQUESTED</b>		<b>\$ 432</b>

## III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

On June 1, 2004, a Request for Continued Examination (RCE), Petition for Extension of Time, and Preliminary Amendment were filed with the U.S. Patent and Trademark Office (PTO). A copy of these documents, as filed, is enclosed.

At the time of filing of the RCE, a check in the amount of \$770, to cover the cost of the RCE, was forwarded to the PTO.

On the Petition for Extension of Time filed with the RCE, authorization was given to the Director to charge the cost of the two-month extension, namely \$420, to Deposit Account No. 18-0350. The charge for the two-month extension of time is shown on the enclosed Deposit Account Statement on 6/4/04.

As shown on the enclosed copy of the Preliminary Amendment filed along with the RCE, no new claims were added in this application. Therefore, the charge of \$432, shown on the Deposit Account Statement on 6/8/04, for claims in excess of 20 is invalid. Accordingly, a refund in the amount of \$432, to Deposit Account No. 18-0350, is respectfully requested.

**IV. MANNER OF REFUND**

Please make refund by:

- crediting Deposit Account No. 18-0350.
- refunding payment.

Respectfully submitted,



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Christopher R. Lewis, Reg. No. 36,201  
Attorney for Applicants

CRL/lrb

- Attachment: Copy of the monthly statement on which the referred error is listed

Dated: June 29, 2004

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